

REMARKS

Favorable reconsideration is respectfully requested.

The claims are 1 to 5 and 7.

The above amendment is responsive to points set forth in the Official Action.

With regard to the objection to claim 1, the objected to *proviso* has been deleted.

With regard to the rejection under 35 U.S.C. 112, the rejection concerning this *proviso* is overcome by the above amendment which deletes this *proviso*.

Claims 1 to 5 and 7 have been rejected as anticipated by Roepel.

This rejection is respectfully traversed.

Claims 1 and 7 are amended to recite R¹ is "C1 to C3 haloalkyl, . . .". Support can be found on page 7, lines 10 to 11 of the specification as filed and thus no new matter has been added.

In view of this amendment, the 3,3-dicyanoheptanoate of Roepel is clearly excluded.

Accordingly, Roepel neither discloses nor suggest the claims as amended.

No further issues remaining, allowance of this application is respectfully requested.

If the Examiner has any comments or proposals for expediting prosecution, please contact undersigned at the telephone number below.

Respectfully submitted,

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